



New Jersey Department of Children and Families Policy Manual

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SUBJECT: Identification, Location and Referral for Evaluation of Students Who May Have a Disability

EFFECTIVE DATE: June 30, 1990

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A. **OBJECTIVE**

To ensure that all general education students, under the jurisdiction of the Department of Children and Families (DCF) Office of Education (OOE), who may have a disability due to physical, sensory, emotional, communication, cognitive or social difficulties are identified and referred for evaluation to determine eligibility for special education and related services.

B. **DEFINITION**

“Parent” means the natural or adoptive parent, the legal guardian, an educational surrogate parent who has been appointed according to N.J.A.C. 6A:14-2.2, and an adult student.

C. **STANDARD**

The identification, location and referral for evaluation of students who may have a disability, even though they are advancing from grade to grade, shall be in accordance with N.J.A.C. 6A:14-3.3 and 8.1.

D. **PROCEDURES**

1. When a general education student or a student for whom there are no current student records enters a DCF or DHS State facility education program, the Education Supervisor (ES) or designee shall conduct a review of the student's educational status within 30 calendar days and determine if referral to the child study team (CST) is required.
2. Interventions in the student's educational setting, such as those strategies identified through the general instructional strategies and techniques section of a student's Individualized Program Plan (IPP) and through the Intervention and Referral program outlined in OOE Policy #42, shall be provided to general education students who are exhibiting academic difficulties and shall be utilized, as appropriate, prior to referring a student for an evaluation of eligibility for special education and related services.
 - a. At the time of admission and at the IPP meeting, parents of general education students shall be informed that they may contact the ES or designee in order to discuss, as needed, initiating or revising interventions to their child's general education program through the IPP process.
 - b. The ES or designee and other instructional staff shall maintain written documentation about the student's performance.
 - c. When it is determined, through the analysis of relevant documentation, that interventions in the student's education program have not adequately addressed the educational difficulties and it is believed that the student may have a disability, the general education student shall be referred for evaluation to determine eligibility for special education and related services, in accordance with N.J.A.C. 6A:14-3.
 - d. The determination whether or not to conduct an evaluation shall be made in accordance with the procedures outlined in this policy.
3. A **direct referral** to the child study team may be made when it can be documented that the nature of the student's educational problem(s) is such that evaluation to determine eligibility for special education services is warranted without delay.
 - a. A referral may be made by parents, school personnel, State agencies, and other agencies concerned with the welfare of students.
 - b. When a parent makes a written request for an evaluation to determine eligibility for special education and related services, such a request shall be considered a referral and shall be forwarded without delay to the child study team.
 - c. School personnel, parents and agencies shall be informed of the referral procedures by the ES/designee or by CST members, as appropriate.
4. When a parent/guardian inquires about using electronic mail (e-mail) to submit requests to a State facility education program or to a child study team regarding any part of the referral, identification, evaluation and classification process, the ES/designee or the CST case manager, as applicable, shall:

- a. provide the parent with an authorized State e-mail address if the ES/designee or CST case manager generally utilizes e-mail as a mode of communication and regularly monitors the e-mail address being provided to the parent; or
 - b. inform the parent that e-mail should not be utilized, if the ES/designee or CST case manager does not generally use e-mail and/or does not regularly monitor his/her e-mail.
5. The ES and applicable school staff shall utilize the forms and letters pertaining to referral and initial evaluation as prescribed in the *Supervisor of Educational Programs and Child Study Team Letters and Forms Manual* (SEP/CST Manual). Evaluations shall be conducted according to the procedures in N.J.A.C. 6A:14-3.4, OOE Policy #22 and the SEP/CST Manual.
6. When a preschool age or school age student is referred for an initial evaluation to determine eligibility for special education programs and services, the CST case manager shall convene a pre-evaluation review meeting within 20 calendar days (excluding school holidays, but not summer vacation) of receipt of the written request.
 - a. The participants of this pre-evaluation review meeting shall include the child study team, the parent and the teacher of the student who is knowledgeable about the student's educational performance or, if there is no teacher of the student, a teacher who is knowledgeable about the education program options available to the student.
 - b. This pre-evaluation review team shall determine whether an evaluation is warranted and, if warranted, shall determine the nature and scope of the evaluation in adherence with NJAC 6A:14-3.4, OOE Policy #22, and the SEP/CST Manual.
 - c. The team may also determine that an evaluation is not warranted and, if so, determine other appropriate action.
 - d. The parent shall be provided written notice of the determination(s), which includes a request for consent to evaluate, if an evaluation will be conducted.
7. To facilitate the identification and referral of children in early intervention programs and preschoolers who may be disabled, DCF education program staff and child study team members shall communicate and collaborate with the appropriate entities in regard to children for whom the OOE has been identified as the responsible educational agency.
 - a. A DCF child study team member shall participate, as scheduled, in the preschool transition planning conference arranged by the designated service coordinator from the Early Intervention System to assist in facilitating the transition from early Intervention to preschool.
 - b. When involved in a transition planning conference, the DCF child study team member shall:

- 1) Review the Part C Early Intervention System Individualized Family Service Plan (IFSP);
 - 2) Provide the parents with information about district registration requirements, when applicable; and
 - 3) Provide the parents with information on available programs for preschool students, as appropriate.
8. Preschoolers with disabilities shall have their IEPs implemented no later than age three.
 - a. To assure that preschoolers with disabilities have their initial IEPs implemented no later than age three, a written request for an initial evaluation for a preschooler with suspected disabilities shall be forwarded to the DCF OOE child study team case manager at least 120 days prior to the preschooler attaining age three.
 - b. The DCF OOE child study team case manager shall invite the Part C Service Coordinator from the Early Intervention System to the initial IEP meeting.
9. When a preschool age child is referred for an initial evaluation, a speech-language specialist shall participate in the meeting as an additional member of the child study team to determine whether to evaluate and, if so, the nature and scope of the evaluation.
 - a. If it is determined that a speech-language assessment will be conducted, it may be utilized as one of the two required assessments in NJAC 6A:14-3.4.
10. For students ages 5 to 21, when the suspected disability includes a language disorder, a speech-language specialist, in addition to the persons named in 6.a. above, shall participate in the meeting to decide whether to evaluate and, if so, the nature and scope of the evaluation.
11. For students ages 5 to 21, when the suspected disability is a disorder of voice, articulation and/or fluency only, a speech-language specialist and the other persons stipulated in 6.a. above, (excluding the child study team members), shall participate in the meeting to decide whether to evaluate and, if so, the nature and scope of the evaluation.
12. When it is determined that an evaluation for eligibility for services is warranted, the student shall be considered identified as “potentially a student with a disability.”
 - a. If such a student is removed for disciplinary action, limitations on the amount of time the student is removed and the requirement to provide services shall be consistent with the procedures in OOE Policy #33, Student Conduct.
 - b. Protections for “children not yet eligible for special education and related services,” as described in 20 U.S.C. §1415 (k) 5 (refer to N.J.A.C. 6A:14, Appendix A), shall also apply to such students.

13. An audiometric screening shall be conducted for each student referred to the child study team for a special education evaluation.
 - a. At DCF Regional Schools, auditory screenings shall be conducted in adherence with OOE Policy #9.
 - b. When a State facility education program does not have a school's nurse, the child study team may use the report of a recent medical examination, which includes an evaluation of the student's hearing, to meet this requirement.
14. A vision screening shall be conducted for every student referred to the child study team for a special education evaluation.
 - a. At DCF Regional Schools, the school's nurse shall conduct the vision screenings in accordance with the "Nursing Handbook".
 - b. When a State facility education program does not have a school's nurse, the child study team may use the report of a recent medical examination, which includes an evaluation of the student's vision, to meet this requirement.
15. Within 90 calendar days after the receipt of parental consent for the initial evaluation of a preschool age or school age student, the evaluation, the determination of eligibility for special education and related services, and, if eligible, the development and implementation of the IEP for the student shall be completed.

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Director

Note: This is a reproduction of a signed document. The original document is on file with the DCF Office of Education.